



CORPORATION FOR PUBLIC BROADCASTING

*A Quarter Century of Quality Programming*

**Lillian Fernandez**

*Senior Vice President, Government Relations  
General Counsel and Corporate Secretary*

October 17, 1995

William F. Caton  
Acting Secretary  
Room 222  
Federal Communications Commission  
1919 M Street N.W.  
Washington D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
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Re: Children's Television Programming  
MM Docket No. 93-48

The Corporation for Public Broadcasting (CPB) hereby submits the attached comments for filing in the above-captioned matter. We were advised by the Policy and Rules Division of the Mass Media Bureau that, in light of The Million Man March activities in the District of Columbia yesterday, the FCC would accept comments in this proceeding today.

Please call Pamela Brown (202) 879-9701 if you have any questions about CPB's filing.  
Thank you.

Sincerely,

*Lillian Fernandez (PSB)*

Enclosure

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OFFICE OF SECRETARY**

In the Matter of	)	
	)	
Policies and Rules Concerning	)	
Children's Television Programming	)	MM Docket No. 93-48
	)	
Revision of Programming Policies	)	
for Television Broadcast Stations	)	

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**COMMENTS OF THE CORPORATION**  
**FOR PUBLIC BROADCASTING**

The Corporation for Public Broadcasting ("CPB") hereby submits these Comments in response to the Notice of Proposed Rule Making, adopted April 5, 1995 in the above-captioned proceeding ("Notice"), concerning the Commission's proposals to modify its policies and rules concerning children's television programming.<sup>1/</sup> In particular, CPB supports the Commission's efforts to institute a "program sponsorship" option under which a broadcaster could fulfill its programming obligation by airing the entire prescribed amount of children's programming on its own station or by airing a portion of the prescribed amount itself and taking responsibility for the remainder by sponsoring programming aired on other stations in the same market. Notice, at paras. 77-85. CPB endorses the concept of allowing television licensees to sponsor children's programs on noncommercial stations because, given the appropriate implementation of the Commission's proposal, such sponsorship could further the purposes underlying both the Children's Television Act of 1990 ("Act") and the noncommercial educational licenses. Collaborations of this nature offer a promising means of making sure that America's most important audience -- our children -- are exposed routinely to educational and informational programming of the highest quality.

**I. CPB'S ROLE AS THE LEADER IN CHILDREN'S TELEVISION**

CPB is uniquely qualified to speak on behalf of public broadcasting concerning the

quest for improving and expanding the fare of educational and informational television programming available to the nation's children.<sup>2/</sup> With CPB at the helm, public television has embraced the education of America's youth as its core mission for over twenty-five years.<sup>3/</sup>

As the industry's leader, CPB continues to focus on education as its highest corporate priority. See e.g., Attachment A for fact sheet about CPB's investments in education. Children's educational programming continues to be CPB's top priority in new programming development.<sup>4/</sup> This mission is consistent with CPB's statutory mandate to encourage the development of programming that addresses the needs of unserved and underserved audiences, particularly children and minorities. 47 U.S.C.A. Sec. 396(a)(6).<sup>5/</sup>

With CPB's guidance and financial support, public television does more than beam out educational shows. It teaches people what to do when they receive them. In so doing, public television prepares our nation's children for the classroom no matter who they are or where they live. It also brings parents, teachers, child-care providers and learning institutions together. It helps teachers teach, and students learn, and uses broadcast and non-broadcast technologies to reach learners.<sup>6/</sup>

Research shows that public television consistently lives-up to expectations. A 1995 national survey of attitudes and perceptions toward public broadcasting shows that Americans appreciate and respect public television's investment in children's programming. In fact, 95 percent believe that public television is better than or as good as other television in providing good programming for children; and three out of four respondents rank public television's children's programs as better than those available from other television networks, including cable.<sup>7/</sup>

Research also proves that public television really works for our children. A 1995 report released by Children's Television Workshop revealed that viewing educational television, including Sesame Street, helps preschoolers in three ways: they are better prepared to enter school; they perform better on verbal and math tests as late as age 7; and they spend

more time reading.<sup>8/</sup> A 1993 study found that four-year-old preschool viewers were more likely to identify colors by name, count to 20, recognize letters and tell connected stories when pretending to read, as a result of watching PBS educational fare. The report also showed that children from low income families who watch these programs have dramatically higher literacy than children from low income families who do not watch them.<sup>9/</sup>

In short, public television is the children's education channel. It has been that way for two generations. Public television welcomes new ideas and new partners who believe, as we have for almost 30 years, in unleashing the power of television to educate, inform and entertain children. The Commission's proposed sponsorship system may open a new avenue to forging such partnerships.

## **II. THE FCC'S PROPOSED PROGRAM SPONSORSHIP OPTION**

### **A. CPB Supports the Implementation of a Program Sponsorship Option**

Potentially the most significant aspect of this rule making for public television, is the FCC's proposed "program sponsorship" option under which a broadcaster ("sponsor station") could meet a processing guideline or a programming standard by airing the entire prescribed amount of children's programming on its own station or by airing a portion of the prescribed amount itself and taking responsibility for the remainder by sponsoring programming aired on other stations in the same market ("host station"), through financial or in-kind support. CPB wholeheartedly supports the Commission's tentative conclusion that a broadcaster may satisfy some, but not all of its obligations under the Act by sponsoring programming on other stations. On behalf of public television, CPB can further endorse the notion that the proposed program sponsorship option should allow commercial stations to sponsor programs on noncommercial stations. Such a program sponsorship system could lead to more efficient and effective production by shifting programming dollars to the broadcasters with the greatest expertise in and commitment to children's educational programming -- the noncommercial educational broadcasters. By allowing commercial television to tap into the wealth of children's resources available through public television, the American children

become the true beneficiaries of the sponsorship option.

In addition, permitting noncommercial stations to play "host" to commercial "sponsor" stations could foster the goals of both the Act and public television if it results in an injection of new funds into public television's already fertile field of quality children's programming. As Sheila Tate (member of the CPB Board of Directors, then Chairman) explained during her testimony at the FCC's en banc hearing (June 28, 1994), although children's programs on public television are recognized for their superior ability to educate while they entertain, producing such quality children's programming is not fast, easy or inexpensive. Similar concerns about the expense of developing and distributing such programming were echoed by other broadcasters at the hearing. Ms. Tate further noted that public television welcomes new ideas and talent, and she encouraged strategic alliances in the private, public and non-profit sectors for developing more programs for children. Allowing commercial broadcasters to sponsor programming on noncommercial stations dovetails well with this invitation for creative partnerships. While the industry-wide economic benefits of cross-sponsorship remain to be seen, there is no doubt that public television would take full advantage of an infusion of funds to further develop its superior children's programming repertoire.

At the risk of sounding like an ungracious host, however, we must note there may not be sufficient incentive for commercial broadcasters to go to the trouble of satisfying part of their programming obligations by making sponsorship arrangements with public broadcasters. CPB is not advocating more stringent rules; we simply need to be realistic about whether they will lead many commercial broadcasters to avail themselves of the sponsorship option. Accordingly, we would not count prematurely on such sponsorship arrangements to provide public television with a new private funding source or a replacement for current funding streams. There is no way to estimate the extent of the support that public television may receive because we cannot predict whether commercial broadcasters will offer public television in-kind or cash support (both are permitted under this proposal). Neither

can we anticipate how much support public television ultimately will receive since there appears to be nothing preventing broadcasters from sponsoring programming on commercial "host" stations.

**B. Special Considerations for Implementation of a Program Sponsorship Option**

How the Commission implements the program sponsorship option also is of interest to CPB. In fact, some of the implementation issues may have significant policy ramifications for public television and the children it serves.

**1. Public Broadcasting Welcomes Support Consistent with its High Standards and Reserves the Right To Make That Judgment**

Public television certainly welcomes support from its commercial colleagues. Nevertheless, how the Commission credits the sponsor station's efforts to support the public television host station's programming will significantly affect the host station. The Notice simply states that sponsor stations could take credit for the programs it had 'funded' or 'sponsored' on a host station. Notice, at para. 77-78. Theoretically, support could range from a major financial contribution earmarked for acquiring, producing or transmitting children's programming to be broadcast on the host station, to various forms of in-kind support, such as on-air promotion of public television's children's programming. Such collaboration between commercial sector resources and public television expertise could enhance the quality and quantity of children's programming, and should be encouraged. However, commercial licensees should not receive credit for support provided to public television stations unless that support is of value to the recipient station and consistent with its high standards of quality.

As suggested in the Comments filed jointly by CPB, APTS and PBS in 1991, commercial licensees should not receive credit for support unless it is desired by the recipient public television station and coordinated with it to further the Act's goal of enhancing the quality and quantity of children's programming. The Commission should only give a commercial licensee credit for support that is truly responsive to children's programming

needs and priorities as assessed by the public television host station. Likewise, a public broadcaster should not be obligated to accept offers of programming or support from another licensee unless the recipient broadcaster believes that the support will strengthen its service to children and is consistent with its quality standards.

In addition, the FCC should consider both the monetary value of the support and the consistency of the support throughout the license term. The Commission should be sensitive to situations in which the amount expended exceeds the actual value of the licensee's support. For example, an in-kind contribution that costs less but enhances the quality or availability of an existing service could be more valuable than a lavish expenditure for new programming that is inferior. In addition, long-term, steady support provided throughout the license term is generally more valuable and therefore more beneficial to our children.

2. Licensees Should Not Be Permitted To Satisfy Their Entire Children's Programming Obligation Through Sponsorship

In closing, we note that the Children's Television Act and the legislative history both support the Commission's conclusion that licensees may not satisfy their entire programming obligation by sponsoring programming on other stations. The Act provides that in reviewing an application at renewal, the Commission may consider "any special efforts by the licensee to produce or support programming broadcast by another station in the licensee's market which is specifically designed to serve the educational and informational needs of children." 47 U.S.C. 303b(b). The Act also states that such consideration is to be "in addition" to consideration of the extent to which the licensee has served the educational and informational needs of children through its overall programming. *Id.* Similarly, in discussing this provision, Senator Inouye observed that "[t]he Commission would, of course, expect that each station will itself broadcast some programming specifically designed for children to serve their educational and information needs". 136 Cong. Rec. S 10122 (daily ed. July 19, 1990) (remarks of Sen. Inouye). Thus, in giving the Commission discretion to consider a licensee's support for another station's programming, Congress did not intend to

relieve commercial broadcasters entirely of their children's programming responsibility.

**3. The Program Sponsorship Options Should Maximize the Children's Programming Service and Information Provided to the Public**

Regardless of the magnitude of the support provided, it is only valuable if the sponsor station's and the host station's potential audiences overlap substantially. This will insure that sponsorship arrangements do not lead to a concentration of children's programming on stations which are remote to the sponsor station's market. Conversely, it will also prevent certain markets from ending up with little or no educational children's programming.

The regulations also should require the host station to identify the sponsor station of every sponsored program which it airs. In addition, both the sponsor and host stations should be required to provide the Commission and the public with the following information about each sponsored program: time of airing, program description, program length, target audience and educational content.

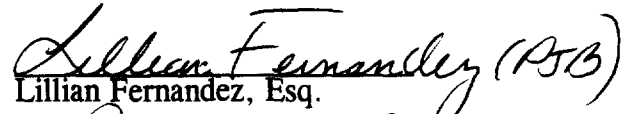
Finally, host stations should be prohibited from claiming credit for sponsored programs to avoid "double counting" of programming (*ie.*, credit going to both the sponsor and the host). This would thwart the Congressional goal of increasing the amount of educational and informational programming available to children.

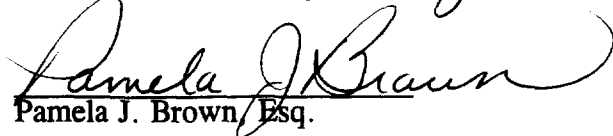
**III. CONCLUSION**

CPB requests that the Commission insure that any program sponsorship option is established in a manner that furthers the goals of the Act in a meaningful way. Such options are only valuable if they enhance, not frustrate, the efforts of public broadcasters to maintain their tradition of excellence in providing educational and informational programming to children of all ages. Regardless of the outcome of this rule making, however, CPB and public broadcasting remain committed to children. We will continue to dedicate our resources to the development and delivery of children's programming of the highest quality.



Respectfully submitted,

  
Lillian Fernandez, Esq.

  
Pamela J. Brown, Esq.

Corporation for Public Broadcasting  
901 E. Street, N.W.  
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Date: October 17, 1995

#### FOOTNOTES

1/ CPB is the private, nonprofit corporation described by the Public Broadcasting Act of 1967 ("1967 Act"), as amended, 47 U.S.C.A. Sec. 390, et. seq. (1994 ed.). CPB is filing these Comments as the organization authorized by Congress "to encourage the growth and development of public radio and television broadcasting, including the use of such media for instructional, educational and cultural purposes." 47 U.S.C.A. Sec. 396(a)(1).

2/ In this capacity, CPB has been a regular participant in the FCC regulatory proceedings precipitated by the Children's Television Act of 1990 ("Act"). In 1991, CPB filed comments and a joint opposition to petitions for reconsideration jointly with America's Public Television Stations ("APTS") and the Public Broadcasting Service ("PBS") (MM Docket Nos. 90-570/83-670). In June 1994, Sheila Tate (then Chairman of the CPB Board of Directors) testified before the Commission's en banc hearing in this proceeding.

3/ In fact, the legislative history of the Children's Television Act of 1990 often refers to children's programming on public television as the ideal or model. See e.g., S. Rep. 227, 101st Cong., 1st Sess. 5-7 (1989); 136 Cong. Rec. S 10123 (remarks of Sen. Hollings).

4/ Earlier this month, CPB announced a new corporate structure which officially merges CPB's Education and Programming offices in order to more effectively unite CPB's core missions. Also this month, through a unique amendment to CPB's program funding agreement with PBS, CPB and PBS agreed that children's programming will be given first priority in the development of public television's national programming schedule. Accordingly, the amendment requires that a minimum of \$5 million of the programming funds provided by CPB to PBS for FY 1997 must be used exclusively for children's television programming, and that PBS must try to match this amount from private sources.

5/ Congress explicitly has directed CPB to use a substantial amount of its programming dollars to fulfill such mandates by funding producers of national children's educational programming, among others. 47 U.S.C. Sec. 396(k)(3)(B)(i).

6/ The Ready-to-Learn project is CPB's response to the nation's first education goal -- that all children enter school ready to learn. It uses television to teach children basic skills they

need to succeed in school and to encourage reading. The initiative joins local public television stations, community organizations, and national producers to accomplish this. CPB purchases books, develops educational materials and workshops in English and Spanish, and, this year, will provide up to \$4.2 million to create new Ready-to-Learn television programming for children, parents and caregivers. See also, Attachment A for additional information about Ready-to-Learn.

7/ In addition, viewers ranked public television ahead of other television programming as being free from violence. They applauded and recognized public broadcasting for its commitment to promoting quality in an era where violence on television mars programming. This Yankelovich Omnibus survey dated May 1995 was conducted by Yankelovich Partners, Inc. for CPB.

8/ This research also showed that children who watch mostly adult programs and non-educational cartoons do less well on the verbal and math tests, and also read less. This study was conducted for Children's Television Workshop by Dr. Aletha C. Huston and her husband Dr. John C. Wright at the Center for Research on the Influences of Television on Children, at the University of Kansas.

9/ According to this study, 88 percent of all preschoolers and 80 percent of kindergartners watch at least one of four public broadcasting programs each week -- Sesame Street, Reading Rainbow, Mister Rogers' Neighborhood, and Barney and Friends. This study, which was conducted by Westat, Inc. for CPB, is based on data from the National Household Educational Survey of 1993 conducted by the U.S. Department of Education.

# The Corporation for Public Broadcasting

## *A National Leader in Education*

CPB, a private, nonprofit corporation created by Congress in 1967, develops public television, radio, and on-line services for all Americans.

Most people know public broadcasting through the shows that have made it a household word. Such popular and influential programs as *Sesame Street*, *Barney and Friends*, *Where in the World is Carmen Sandiego?*, *Lamb Chop's Play Along*, *Ghostwriter*, *MacNeil/Lehrer NewsHour*, *Frontline*, *All Things Considered*, *Morning Edition*, *The Civil War*, *Eyes on the Prize*, *Great Performances*, and *Masterpiece Theater*, to name a few, received CPB funding and encouragement.

Public broadcasting prepares our nation's children for the classroom no matter where they live or who they are. It

enriches the educational and cultural lives of adults. It brings parents, teachers, child-care providers and learning institutions together. It helps teachers teach, and students learn.

### *Education Strategy*

Between 1991 to 1993, CPB has committed more than \$16 million to 36 school readiness projects. In 1993, the CPB Board of Directors approved a \$4.4 million education initiative to help every child in America obtain quality education. How? By making stations educational resources; forging innovative public-private partnerships; strengthening efforts to design programming to have educational value; measuring program effectiveness; and securing new sources of funding.

## *CPB Investing in Education*

### READY TO LEARN

*Ready-To-Learn (RTL) is public broadcasting's focused response to special Congressional and Administration initiatives in support of early childhood education.*

*Once implemented, beginning in July 1994, RTL will represent one of the most significant changes in public broadcasting since the current structure was created in 1967, and will involve the considerable efforts of local stations, community organizations, and the national public broadcasting entities.*

- Congress appropriated \$7 million to CPB in FY 1996 for Ready-To-Learn. CPB has requested \$15 million for FY 1997.
- CPB will expand the availability of educational and instructional video programming and support for preschool and elementary school children and their parents.
- As directed by law, CPB will integrate the U.S. Department of Education's school-readiness goals into its efforts, soliciting proposals from a broad range of eligible entities.
- Through public television and supplementary materials, parents, teachers and care-givers can provide a more complete learning foundation.
- Nine-hour, seamless blocks of children's educational programming will be available every weekday.
- Innovative teaching techniques for the nation's preschoolers will better prepare all children to enter school ready to learn by the year 2000 — the premier education goal of the President and state and local leaders.

### COMMUNITY NETWORKING INITIATIVE

*CPB is committed to the multi-media future, one that links learning with the new technologies.*

- Develops interactive community-wide education and information networks that will link individuals, schools, libraries, local governments and community organizations.
- Establishes public broadcasting stations as public telecommunications centers and educational resources.
- Includes a wide array of education and public information services.
- Develops a math homework curriculum for students in grades 1-12 that ties into the local school's math curriculum. With a computer and a modem, students can be linked electronically to a panel of experts who can explain the beauty of integers and fractions.

### CPB/WGBH NATIONAL CENTER FOR ACCESSIBLE MEDIA

- Initiates projects and programs that identify and remove communications barriers facing people who cannot see, hear, speak English or read.
- Helps public broadcasters make radio, television, newspapers, books, movies and future media accessible to all.
- Engages in research that will ensure that captioning and descriptive videos are not neglected as future TV technical standards are written.
- Provides public television stations the software, training and ongoing support to prepare stations for the imminent demands of their deaf and hard-of-hearing viewers.

## **MR. ROGERS' NEIGHBORHOOD PARTNERSHIP**

- National teaching project implemented through local PBS stations at 127 project sites.
- Provides training materials for child-care providers. Suggests books that complement specific episodes of Mr. Rogers' Neighborhood.

## **SESAME STREET PEP**

- National outreach for child-care programs and families. Combines Sesame Street viewing with children's book reading and related developmental activities.
- Over 17,000 child-care professionals have received training, reaching over 164,000 children of all backgrounds.
- Sesame Street PEP currently works with 86 local partners representing over 150 public television stations.

## **TEACHER TRAINING INSTITUTE**

- Nationwide teaching program sponsored by Texaco, CPB and WNET-TV/New York that helps elementary and secondary schoolteachers enhance math teaching skills.
- Teachers learn new techniques at special training sites, such as using quality instructional videos in their lesson plans.
- More than 30,000 teachers trained reach more than 4 million students across the country.

## **DISTANCE LEARNING**

- Links teachers with students in separate geographic locations through communications technologies.
- Helps rural students by offering otherwise unavailable courses and programs.
- Currently more than 5,000 high school students in 28 states take advanced math, science and foreign languages through public television's newly launched Telstar 401 educational satellite.

## **PUBLIC TELEVISION OUTREACH ALLIANCE**

- Develops and supports one national project annually such as literacy, childcare, the environment or AIDS through programming and complementary activities.
- 1994 initiative focuses on women's health and wellness.
- CPB works with WETA/Washington, D.C., WQED/Pittsburgh, The Kentucky Network, Nebraska ETV and KCTS/Seattle to increase awareness and provide support for many issues and challenges facing the American people.

## **ADULT LITERACY**

- Focuses on illiteracy in the workplace and in prisons.
- Project Literacy US (PLUS) operates at 450 project sites.
- GED—Get It! Television courses provide everyone the opportunity to complete the equivalent of a high school education, including more than two million adults since 1975.
- Family Literacy Alliance, an outreach collaboration of several PBS producers, trains and assists public television stations in bringing reading programs home to underserved and economically disadvantaged families.

## **THE ANNENBERG/CPB PROJECT**

- Makes a quality college education more accessible through new developments in information and telecommunications technologies.
- Explores the educational implications of the technological environment of the future.
- 48 college-level video and audio courses are available to national public television, to Americans of all ages and backgrounds, and to over 2,700 colleges and universities nationwide that have acquired the videos and course materials.

## **THE ANNENBERG/CPB MATH AND SCIENCE PROJECT**

- Implements widespread reform of math and science education to create changes in classrooms around the country.
- Prepares students for future employment and improves our national math and science ranking among industrialized nations.



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